## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

JAMES ELBERT DUBOSE,	]
Petitioner,	] ] 1
v.	CIVIL ACTION NO. 09-RRA-2587-S
WARDEN PATTERSON and THE ATTORNEY GENERAL FOR THE STATE OF ALABAMA,  Respondents.	] ] ] ]
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## **ORDER**

In accordance with the Memorandum Opinion entered contemporaneously herewith, the petition for a writ of habeas corpus is hereby **DISMISSED without prejudice**. Costs are taxed to the petitioner.

Done this 11<sup>th</sup> day of February, 2010.

ROBERT B. PROPST
SENIOR UNITED STATES DISTRICT JUDGE